

REMARKS

Applicant respectfully traverses and requests reconsideration.

The specification is objected to due to the title of the invention not being descriptive enough. As noted above in the “Amendments to the Specification”, a new title has been submitted by the Applicant that is clearly indicative of the invention to which the claims are directed.

Claims 1-14 are rejected under 35 U.S.C. §102(e) as being anticipated by Shoff et al. (U.S. Pub. No. 2001/0001160). It appears that the teaching of the Shoff reference may have been misapprehended. For example, the office action cites to Fig. 3, and paragraphs 39 and 40 of page 3 as allegedly teaching integrating a live stream database with at least one recorded material database to produce an extended electronic program guide. However, as noted in the cited paragraphs, Fig. 3 does not show an electronic program guide that is produced for display but instead refers to and shows a visualization of a data structure 48 which is used by the EPG database 46 to organize programming information. In fact, it does not appear that the cited portions reference or show any extended electronic program guide for display. Accordingly, the claims are in condition for allowance for this reason alone.

Regarding claim 1, Applicant respectfully submits that Shoff does not teach or reference an extended electronic program guide (EEPG) as claimed by the Applicant. For example, Shoff's Fig. 3 shows, and cited paragraphs 39 and 40 of page 3 describe, an example data structure 48 which is used by the EPG database 46 to organize programming information and to correlate target specifications with the programming information to indicate the associated programming being interactive. An extended electronic programming guide for display is not mentioned or referenced. The cited Fig. 2, and paragraph 34 of page 3, show and describe an EPG server 44 implemented as a structured query language (SQL) database 46. Although paragraph 34 mentions “programming information needed by the EPG at the viewer computing

unit 23”, no displayable EPG is identified in Fig. 2 or shown in any other FIGs. of Shoff. Claim 1 of the Applicant’s application identifies “integrating the live stream data base with the at least one recorded material data base to produce an extended electronic program guide”. No where within the cited portions of Shoff is a produced extended electronic program guide shown, described, or referenced. Accordingly, Applicant submits that at least for, but not limited to, the above reasons claim 1 as written is in condition for allowance.

However, although Applicant believes claim 1 to be in condition for allowance, to add further clarification, Applicant requests that claim 1 be canceled and replaced by new claim 26. Stating the information cited in the Shoff reference another way, the data structure 48 appears to merely represent data that is stored in the database that may be used, for example, by an EPG server to eventually produce a program guide. However, Applicant is unable to find in the cited portion any indication of a program guide produced or displayed that contains both data from a live stream database and data from a recorded material database as required by the claim.

For example, claim 27 requires, among other things, producing, for display, the extended electronic program guide that includes the combination of data as claimed that may represent, for example, information related to already recorded programs as well as current or future programs. It does not appear that the Shoff reference even contemplates the display of an extended electronic program guide that includes information relating to already recorded content so that, for example, a user can determine visually whether or not a particular program or other aspect thereof has been already recorded. (See for example, Fig. 7 and associated discussion in Applicant’s specification). For at least the reasons stated above, the Applicant respectfully submits that claim 26 is not anticipated by Shoff and is in condition for allowance.

Claims 2-5 are canceled and replaced by new claims 27-30 that depend on new claim 26. Also, new claim 31 has been added that depends on claim 26. Claims 27-31 depend on amended claim 26 and add additional novel and nonobvious subject matter.

Regarding independent claim 6, the office action states that “all the limitations of claim 6 fall within the limitations of claim 1 and is rejected accordingly.” Applicant reasserts the above related remarks for claim 1 being in condition for allowance. However, claim 1 has been requested canceled and replaced by claim 26, and thus system claim 6 has been amended to correspond to new method claim 26. Applicant submits that amended claim 6 is in condition for allowance.

Claims 7-10 depend on amended claim 6 and add additional novel and nonobvious subject matter.

Applicant believes claim 11 to be in condition for allowance based at least on the relevant remarks made for canceled claim 1 and new claim 26. Claim 11 requires, among other things, producing an extended electronic program guide. Claims 12-13 are dependent on claim 11. Claim 14 is requested to be canceled.

New claims numbered 15-31 are added. Claims 26-31 have been discussed above. Claim 15 depends on claim 6. Claim 16 is an independent method claim with dependent claims 17-18. Claim 19 is an independent system claim correlated with method claim 16, and having dependent claims 20-22. Claim 22 is an independent method claim having dependent claim 23. Claim 24 is an independent system claim correlated with method claim 22 and having dependent claim 25.

No new matter has been added due to the amending of claims or the addition of new claims. The dependent claims add additional novel and nonobvious subject matter.

Accordingly, Applicants respectfully submit that the claims are now in condition for allowance and that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the below-listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

Respectfully submitted,

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By: Donald L. Andruska
Donald L. Andruska
Reg. No. 55,798

Vedder, Price, Kaufman & Kammholz, P.C.
222 North LaSalle
Chicago, Illinois 60601
312/609-7500
312/609-5005 Facsimile

Amendments to the Drawings:

The attached sheets of replacement drawings include changes to Fig. 1. The attached sheet for Fig. 1 replaces the original sheet and corrects for the misspelled words “recorded” and “storage”. No new matter has been added.

Attachment: Replacement Sheet